

REMARKS RE: CLAIMS

Item #1: Pursuant to MPEP § 818.03(a), and per the telephone conversation of 4 May 2005 referenced in Item #1 of the subject Detailed Action, applicant acknowledges that claims 21-51, 53-77, 87, 89, 90, and 128-163 are treated without traverse and are herein canceled.

Item #2: Per 37 CFR 1.312, applicant acknowledges Item #2 (A) of the Examiner's amendment to the record, as was mutually agreed to in the telephone interview of 4 May 2005.

Applicant herein includes all of the allowed claims, identified as "previously amended." Allowed claims 80-86, 88, 93-127, and 164-169 are now incorporated into the substitute Specification submitted herewith, and therein are renumbered as claims 1-41 in anticipation of issue publication.

In incorporating the allowed claims into the Specification of Record, applicant has rearranged the sequence of claims to more properly conform dependent claims to their respective independent claims. The "Claim Renumbering Table" below identifies the previous claim numbers as they correspond to the new claim numbers applicant has assigned, as follows:

Claim Renumbering Table

Old Claim #	New Claim #
109	1
110	2
111	3
112	4
113	5
114	6
115	7
116	8
117	9
118	10

119	11
120	12
121	13
122	14
84	15
85	16
86	17
123	18
124	19
125	20
88	21
126	22
127	23
164	24
80	25
81	26
82	27
83	28
93	29
94	30
95	31
96	32
165	33
166	34
167	35
168	36
169	37
97	38
98	39
100	40
101	41
102	42
99	43
103	44
104	45
105	46
106	47
107	48
108	49

A minor typographical error was found in claim 39, wherein in line 1 "fully- charged" is now changed to -- fully-charged --. Also, in line 1 of claim 34, "The the" is now changed to -- The --.

These are not matters of substance, and it will require very little consideration by the Examiner. Should the Examiner agree to applicant's renumbering of the claims, pursuant to Rule 312, applicant requests that the Examiner enter the arrangement of the claims as presented in the substitute Specification into the application as the Claims of Record.

The claims contain no new matter, and fall completely within the scope of the material set out in the originally filed documents.

Item #3: Applicant acknowledges and agrees with the Examiner's statement of reasons for allowance of the subject claims, as to the prior art of Takahashi (US 6,150,823).

IN THE SPECIFICATION

Item #2: Per 37 CFR 1.312, applicant acknowledges Item #2 (B) of the Examiner's amendment to the record, as was mutually agreed to in the telephone interview of 4 May 2005. Prior to the "Field of Invention" in the substitute Specification submitted herewith applicant has been duly amended the document to include a section on Page 1 titled "Cross-Reference To Related Applications" which incorporates the text: "This application claims priority of 'Software to Configure Battery and Power Delivery Hardware,' Provisional Application No. 60/114,398 filed 31 December 1998. . . ."

In that the changes to the drawing figures included changes to the figure numbers, the resulting changes to the figure numbers in the text of the Specification were numerous enough that applicant is submitting herewith a substitute Specification. This was briefly discussed with the Examiner in a telephone communication on 7 August 2005.

Previous amendments to the Specification are also herein incorporated, specifically the changes to the Specification in applicant's responses to the Office Actions dated 9 June 2004 and 4 April 2005 (respective mailing dates of 9 December 2003 and 4 January 2005).

The changes made in the Specification are of a minor clerical nature, such as correcting grammatical and typographical errors. These are not matters of substance, and will require very little consideration by the Examiner.

Both a Clean version (identified as "Replacement Sheet" on each page) and a Marked Up Version of the substitute Specification are submitted, pursuant to 37 CFR 1.121 and 37 CFR 1.125.

Under Rule 312, applicant requests that the Examiner enter the enclosed document into the allowed application as the Specification of Record.

The Specification herein submitted contains no new matter, and falls completely within the scope of the material set out in the originally filed documents.

A completed Supplemental Declaration for Utility Patent Application is enclosed, since changes to the claims, specification, and drawings have been made during prosecution of the subject application.

IN THE DRAWINGS

The amendments to the drawings are pursuant to the Notice of Draftsperson's Patent Drawing Review of 24 February 2000. Applicant herewith submits forty-five (45) corrected drawing sheets in both Marked Up and Clean versions (Clean version labeled "Replacement Sheet"), of which those drawing figures incorporating notable changes are as follows:

Changes To Drawing Figures

Many of the changes made to the drawing figures were of a minor nature, such as correcting the margins on the four sheets of Fig. 1, and the eight sheets of Fig. 2. In both sets of sheets, page numbers erroneously placed at the bottom of each sheet were deleted, and the figuring numbering was amended to more properly define the sheet sequences. The margins were also corrected in Fig. 8.

In Fig. 2, the enlarged view identified as Fig. 2A was moved so as to not obstruct the drawing lines of Fig. 2. An element labeled "MEMORY" with the identifier of 551 is now in Fig. 2. This change was made because claims 86, 93, 96, and 103 reference a memory, which was not previously shown in the drawing figures.

The text in element 138 of Fig. 3A has been rotated to read in the proper orientation.

Fig. 3B has been redrawn in a larger size to correct the original undersized type. The same type-size problem was the basis for redrawing the figure to now cover two sheets, as Figs. 4-1 and 4-2.

The connector line joining Fig. 6 with Fig. 6A is now deleted. The same issue is also overcome in deleting the connector line between Fig. 6F and Fig. 6F-1.

In Fig. 13, the connector lines between the main figure and the enlarged view of the selector dial have been eliminated, and the enlarged view of the selector dial now is labeled with element identifier number 337 and identified as Fig. 13-1.

Fig. 18 was originally a screen capture image which was shaded and hard to read.

The image has been redrawn as line art for better clarity.

Pursuant to Rule 312, applicant requests that the Examiner enter these amended drawing figures into the allowed application as the Drawings of Record.

The amended drawing figures herein submitted contain no new matter, and fall completely within the scope of the material set out in the originally filed documents.

GENERAL REMARKS

A minor error appears in Item 1 of the Notice of Allowability form, and the correct communication date should be 4/4/2005.

This response is filed within the allowed statutory period, pursuant to the Notice of Allowance mailed 9 May 2005.

An Issue Fee of \$700, along with the Fee Transmittal Form, is enclosed.

Applicant is available for contact by phone at (818) 340-7268, or by fax at (818) 883-5706.

Enclosures:

Specification (CLEAN Version 159 sheets)

(MARKED-UP Version 164 sheets)

Drawings (CLEAN Version 45 drawing sheets)

(MARKED-UP Version 45 drawing sheets)

Transmittal Form

Fees Transmittal Form, Part B

Supplemental Declaration for Utility Patent Application Form

Return Receipt Postcard

Check

Please acknowledge receipt hereof by stamping and returning the enclosed return postcard.

Respectfully Submitted,



Patrick H. Potega
Applicant, Pro Se

7021 Vicky Avenue
West Hills, CA 91307-2314

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #ED038779268US in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

9 AUGUST 2005

(Date of Deposit)

PATRICK H. POTEGA

(Name of Applicant, Assignee or Registered Representative)



(Signature)

9 AUGUST 2005

(Date)